Supreme Court of the United States

OCTOBER TERM 1939

No.....

HARRIET K. MOON,
Petitioner,

vs.

MUTUAL BENEFIT HEALTH & ACCIDENT ASSOCIATION, a corporation,
Respondent.

BRIEF IN SUPPORT OF PETITION

This case and the case of Harriet K. Moon vs. Home Life Insurance Company, in which a petition for writ of certiorari was filed in this Honorable Court contemporaneously with the filing of the petition in this case, involve the same facts and questions, were tried together in the District Court, the Transcript of the Record in the case of Moon vs. Home Life Insurance Co., as to the evidence at the trial, is also the record in this case (Tr. p. 36), and the legal points arising thereon are identical. We therefore hereby make the Brief in support of the Petition for writ of certiorari filed in this Court in the said case of Harriet K. Moon vs. Home Life Insurance Co., a part hereof, and to which reference is made for a presentation of the points involved.

It is therefore submitted that this case is one calling for the exercise by this court of its supervisory power in order that the errors here pointed out may be corrected; that the judgment of the Circuit Court of Appeals may be reversed and the judgment of the District Court re-instated and affirmed in order that justice may be done this petitioner, and to that end a writ of certiorari be granted and this Court should review the decision of the United States Circuit Court of Appeals for the Fourth Circuit and reverse the same.

Respectfully submitted,

Thomas West Peyton IV.
Attorney for Petitioner.

Ernest E. Winters, Jr.,
Of Counsel for the Petitioner.